

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**NANCY M. COREY,**

**Plaintiff,**

**v.**

**5:08-cv-0290**

**MICHAEL J. ASTRUE,  
COMMISSIONER OF SOCIAL SECURITY,**

**Defendant.**

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**APPEARANCES:**

**OF COUNSEL:**

**Olinsky, Shurtliff Law Firm  
300 S. State Street, 5<sup>th</sup> Floor  
Syracuse, NY 13202  
Counsel for Plaintiff**

**Howard Olinsky, Esq.**

**Office of Regional General Counsel  
Social Security Administration  
Region II  
26 Federal Plaza - Room 3904  
New York, NY 10278  
Counsel for Defendant**

**Arthur Swerdloff, Esq.  
Tomasina DiGrigoli, Esq.**

**NORMAN A. MORDUE, CHIEF U. S. DISTRICT JUDGE**

**ORDER**

The above matter comes to me following a Report-Recommendation by Magistrate Judge Victor E. Bianchini, duly filed on the 20<sup>th</sup> day of November 2009. Following ten days from the service thereof, the Clerk has sent me the file, including any and all objections filed by the parties herein.

After careful review of all of the papers herein, including the Magistrate Judge's Report-Recommendation, and no objections submitted thereto, it is

**ORDERED** that:

1. The Report-Recommendation is hereby adopted in its entirety.
2. The Commissioner's decision denying disability benefits is remanded for further proceedings in accordance with the Report-Recommendation and pursuant to 42 U.S.C. 405(g).
3. The Clerk of the Court shall serve a copy of this Order upon all parties and the Magistrate Judge assigned to this case.

**IT IS SO ORDERED.**

Dated: December 8, 2009  
Syracuse, New York

  
Norman A. Mordue  
Chief United States District Court Judge